

REMARKS

With entry of the foregoing amendment, claims 1, 2, 10-11, 18 and 23-47 are now pending in this application -- claim 3 having been cancelled, new claims 39-47 having been added and claims 1, 8, 32, 37 and 38 having been amended. Claims 4-9, 12-17 and 19-22 are withdrawn as relating to non-elected species. Reconsideration is requested.

At the outset, it is noted that claim 11, rejected at the bottom of page 2 of the Office Action, is omitted from the list of pending claims in the Office Action. Claim 11 is considered herein as one of the claims now pending in the application.

Claims 37 and 38 are rejected under 35 U.S.C. §112, second paragraph. These claims have been amended to remove the term objected to by the Examiner. Accordingly, the rejection of claims 37 and 38 under 35 U.S.C. §112, second paragraph, is believed to have been fully overcome.

Claims 1-2, 10, 11, 18, 23, 24 and 37-38 are rejected under 35 U.S.C. §102(b) as anticipated by Lockwood '753. Independent claims 1 and 18 are directed, in part, to ball guide fingers having lower ends which protrude from the interior face of the frame so as to define shoulders facing the ball-receiving portion of a net mounted to the frame. This feature is not shown in Lockwood '753 which discloses a plurality of cords secured at their ends for tensioning purposes, to form a ball-receiving portion. For example, applicants' claim 1 calls for the lower ends of the ball guide fingers each including a substantially rounded outer surface protruding from the interior face so as to define a shoulder facing the ball-receiving portion. Thus, the ball guide fingers each include a substantially rounded outer surface protruding from the interior face, and each ball guide finger has a lower end defining a shoulder facing the ball-receiving portion. At least this latter claimed feature is missing in Lockwood. It is respectfully submitted that applicant's claimed fingers having shoulders adjacent the ball-receiving pocket provide much more than a mere design choice over heads lacking these claimed features. Only applicants' claimed fingers with shoulders facing the ball-receiving pocket offer improved control of a ball in play, controlling not only rebound of the ball but also "killing" spin of the ball which has been observed to lead to loss of ball control. The Office Action refers to the cords 61 of Lockwood as equivalent to applicants' claimed fingers. Arguably, the cords of

Lockwood have a rounded outer surface. However, the Lockwood cords themselves form the ball-receiving portion, and hence no portion of those cords can be said to face the ball-receiving portion as called for in applicants' claimed invention. Further, with respect to claim 3, the Office Action cites ears 55 of Lockwood as being equivalent to applicants' claimed shoulders. The ears of Lockwood have openings for receiving the cords. Thus, the ears 55 of Lockwood do not form part of the "fingers" or cords 60 of Lockwood, as called for in applicants' claimed invention. Accordingly, the rejection of independent claims 1 and 18 is believed to have been fully overcome.

The remaining claims cited in the rejection depend directly or indirectly from independent claims 1 and 18 and are believed to be patentable for the reasons set forth above with respect to independent claims 1 and 18, as well as for their own characterizations. Accordingly, in light of the above amendment and remarks, the rejection under 35 U.S.C. §102(b) is believed to have been fully overcome.

Claims 1-2, 10, 11, 18, 23, 24, 29-30, 32 and 35 are rejected under 35 U.S.C. §102(e) as anticipated by Tucker '976. Independent claims 1 and 18 are directed to ball guide fingers having lower ends with shoulders facing the ball-receiving portion of a net mounted to the frame. This feature is not shown in Tucker which is directed to a frame having ridges 500 located on the sidewall of the frame, asserted in the Office Action as being equivalent to applicants' claimed fingers. The cross-sectional shape of the ridges 500 cannot be discerned from Fig. 5, or other portions of Tucker. Assuming arguendo, that the outer surfaces of ridges 500 are rounded, these ridges still lack lower ends with shoulders facing the ball-receiving portion of a net mounted to the frame, as called for in applicants' claimed invention. Clearly, Fig. 5 of Tucker shows ridges that are continuous throughout, failing to teach or suggest a shoulder formed at the lower ends of the ridges, let alone shoulders facing the ball-receiving portion of a net mounted to the frame as called for in applicants' claimed invention. As mentioned, these claimed features provide much more than a design choice over heads lacking applicants' claimed fingers with shoulders adjacent and facing the ball-receiving cavity. Only applicants' claimed invention provides improved ball control not present in the prior art. Accordingly, the rejection of claims 1 and 18 under 35 U.S.C. §102(e) is believed to have been fully overcome.

The remaining claims cited in the rejection depend directly or indirectly from independent claims 1 and 18 and incorporate the limitations thereof. Accordingly, these remaining rejected claims are believed to be patentable for the reasons set forth above with respect to independent claims 1 and 18 from which they depend, as well as for their own characterizations. Accordingly, in light of the above amendment and remarks the rejection under 35 U.S.C. §102(e) is believed to have been fully overcome.

Claims 1-2, 10, 11, 18, 23-32, 34 and 36 are rejected under 35 U.S.C. §103(a) as unpatentable over DeBeer (page one of the web page). DeBeer fails to show or suggest fingers each having lower ends with shoulders facing the ball-receiving portion of a net secured to the frame as called for in applicants' independent claims 1 and 18. The graphics shown in page 5 of the foregoing Office Action, as well as the top two graphics appearing on page 4 of the earlier Office Action mailed September 14, 2005 (which stated a similar rejection of the claims) fail to show fingers each having lower ends defining a shoulder, let alone a shoulder facing the ball-receiving portion as called for in applicants' claimed invention, and arguably fail to show applicants' claimed fingers each having substantially rounded outer surface protruding from the interior face. It appears from the graphics of DeBeer, that the fingers shown in the graphics are continuous throughout, and thus do not teach or suggest a shoulder formed at the lower ends of the fingers, let alone shoulders facing the ball-receiving portion of a net mounted to the frame as called for in applicants' claimed invention. Only applicants' claimed invention provides improved ball control not present in the prior art. Applicants' claimed features provide much more than a design choice over heads lacking applicants' claimed fingers with shoulders adjacent and facing the ball-receiving cavity. Accordingly, the rejection of claims 1 and 18 under 35 U.S.C. §103(a) is believed to have been fully overcome.

The remaining claims cited in the rejection depend directly or indirectly from independent claims 1 and 18 and incorporate the limitations thereof. Accordingly, these remaining claims are believed to be patentable for the reasons set forth above with respect to independent claims 1 and 18 from which they depend, as well as for their own characterizations.

The rejection of claim 3 is rendered moot with the cancellation of that claim.

Accordingly, in light of the above amendment and remarks, the foregoing rejection under 35 U.S.C. §103(a) is believed to have been fully overcome.

New claims 39-45 are directed to fingers with shoulders at their ends, facing the ball-receiving pocket; features that are not shown or suggested in Lockwood, Tucker or DeBeer, taken alone or in combination. New claims 46-47 are directed to fingers of varying longitudinal lengths, facing the ball-receiving pocket. These features that are not shown or suggested in Lockwood, Tucker or DeBeer, taken alone or in combination. Accordingly, claims 39-47 are believed to be allowable.

In light of the above amendment and remarks, the rejections of the claims now pending in the application are believed to have been fully overcome and accordingly an early allowance of the application is believed proper and is respectfully solicited. The Examiner is requested to contact the undersigned if the Examiner believes a discussion would advance the prosecution of this application.

Respectfully submitted,


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